

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

The City Council convened in Regular Session on Tuesday, September 1, 2009, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench presiding, and the Honorable Mayor Patricia M. York, and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: None The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #47000

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS

The President of the Council Larry Muench announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Case No. CU-24-09. (Big St. Charles Motorsports – Brad Holzhauer) An application for a Conditional Use Permit from §156.034(C)(1)(a) and §156.094 for Automotive Sales with Outdoor Display of Merchandise and Temporary Retail Sales, respectively, within the C-3 Highway Business District, specifically to expand an existing motorcycle sales business and to permit temporary outdoor retail sales events at 3830 West Clay Street. The subject property is 6.6 acres and is located in Ward 6. ***(RCA Attached)***
- B. Case No. CU-25-09. (Celebration House – Wilma Carr). An application for a Conditional Use Permit from §156.026(D)(1)(l) within the R-1E Single-Family Residential District for a group home, specifically to operate a group home for no more than four (4) adult women and one (1) house manager at 13 Ridgeview Court. The subject property is 0.16 acres and is located in Ward 2. ***(Tabled at Planning & Zoning; therefore the Public Hearing should be tabled until October 13, 2009)***
- C. Case No. CU-26-09. (James J. Wetter) An application for a Conditional Use Permit from §156.040(C) within the FHCD Frenchtown Historic Commercial District for an auto repair and detailing business, specifically to expand an existing automotive detailing business at 1801 North Second Street. The subject property is 0.24 acres and is located in Ward 1. ***(Tabled at Planning & Zoning; therefore the Public Hearing should be tabled until October 13, 2009)***
- D. Case No. CU-27-09. (Jim Miller) An application for a Conditional Use Permit from §156.040(B)(40) within the FHCD Frenchtown Historic Commercial District for an indoor retail sales use, specifically to operate a wildlife art retail shop, art studio and taxidermy service at 901 North Second Street. The subject property is 0.08 acres and is located in Ward 1. ***(RCA Attached)***
- E. Case No. CU-28-09. (Prudential Towers) An application for a Conditional Use Permit from §156.093(G)(1) within the O-I Office Institutional District for a new cell tower location, specifically to remove an older tower and rebuild a new one-

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

hundred eighty (180) foot tower for the Lindenwood University radio station and cellular carriers at 1785 John Weber Drive. The subject property is fifty (50) acres with a cell tower lease area of 0.03 acres and is located in Ward 9. **(RCA Attached)**

- F. Case No. CU-30-09. (OASIS Food Pantry) An application for a Conditional Use Permit from §156.034(C)(1)(a) within the C-3 Highway Business District for the expansion of an existing thrift store and food pantry at 1806, 1812 and 1814 Boone's Lick Road. The subject property is 1.08 acres and is located in Ward 2. **(RCA Attached)**
- G. Case No. CU-31-09. (Kona Ice – Brent Kirkpatrick) An application for a Conditional Use Permit from §156.033(C)(1)(e) within the C-2 General Business District for vehicle storage, specifically to occupy existing garage bays for vehicle storage purposes at 900 First Capitol Drive. The subject property is 0.25 acres and is located in Ward 1. **(RCA Attached)**
- H. Case No. DR-07-09. An ordinance to amend the Urban Code for New Town at St. Charles, as adopted by Ordinances 03-172 and 03-174, by revising Section 1.3.9.b General Ambient Standards, specifically to increase the maximum decibel levels for certain transect zones. **(Council Bill 9984)**

A motion was made by MICHAEL KLINGHAMMER to advance Council Bill 10019 (Emergency Ordinance) on the agenda. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

Bill 10019

An Emergency Ordinance to Temporarily Suspend the Urban Code for New Town at St. Charles Section 1.3.9.b, Related to General Ambient Noise Standards and to Temporarily Implement Interim General Ambient Noise Standards *(Sponsor: Michael Klinghammer)*

A motion was made by MICHAEL KLINGHAMMER to amend Council Bill 10019 to temporarily suspend the Urban Code for New Town at St. Charles Section 1.3.9.b., Related to General Ambient Noise Standards and to Temporarily Implement Interim General Ambient Noise Standards as included in Council Bill 10019 for a period of one year. DAVE BECKERING seconded the motion. All voted in favor, motion passed. City Clerk Marilyn K. McCoy read the Emergency Ordinance, as amended, in its entirety. A roll call vote was taken, with the following results:

Passed "Aye": Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-171**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution of the City Council of the City of Saint Charles, Missouri, Approving A Declaration Of Official Intent Related To Certain Capital Expenditures In Conjunction With The Streets of St. Charles at Noah's Ark Neighborhood Improvement District
(Sponsors: Bob Kneemiller and Laurie Feldman)

Passed "Aye": Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Resolution R09-17**

A Resolution of the City Council of the City of Saint Charles, Missouri, Approving and Authorizing the Formation of the Saint Charles Redevelopment Corporation; Authorizing the City to Act as the Sole Shareholder of the City of Saint Charles Redevelopment Corporation; and Authorizing the Mayor and City Clerk to Execute all Documents on Behalf of the City in its Capacity as the Sole Shareholder of the Corporation (Sponsor: Larry Muench)

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Resolution R09-18**

A Resolution Adopting the Strategic Plan for the City of St. Charles to Provide Guidance for Help in Determining the Allocation of Resources in Anticipation and Response to the Ever-Changing Public Service Needs of St. Charles Residents (Sponsors: All Members of the City Council)

Passed "Aye": Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Resolution R09-19**

A motion was made by MICHAEL KLINGHAMMER to advance *Item 11.A. Presentation of the Mid Year Revenue Report* on the agenda. ERV ERMELING seconded the motion. All voted in favor, motion passed.

Presentation of the Mid Year Revenue Report

The Honorable Mayor Patricia M. York, Director of Administration Michael Spurgeon, and Director of Finance Karen McDermott gave a power point presentation of the Mid Year Revenue Report.

File #47215

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

A motion was made by MICHAEL KLINGHAMMER to advance *Item 9.G.2 Approval of Electronic Message Sign at 3160 Elm Point Industrial Drive* on the agenda. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

Approval of Electronic Message Sign at 3160 Elm Point Industrial Drive

A motion was made by DAVE BECKERING to approve the electronic message sign at 3160 Elm Point Industrial Drive. RICHARD VEIT seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.
File #47214

BILLS FOR FINAL PASSAGE

Bill 9984 (Withdrawn)

An Ordinance to Amend the Urban Code for New Town at St. Charles by Revising Section 1.3.9.b. General Ambient Standards (*Sponsor: Michael Klinghammer*)
Council Bill 9984 was withdrawn by Sponsor Michael Klinghammer.
File #47206

Bill 9986 (Substitute Bill No. 1)

An Ordinance Repealing Section 38.01 of the Code of Ordinances and Enacting a New Section 38.01 Establishing Ward Boundaries (*Sponsors: Dave Beckering, Erv Ermeling, Michael Klinghammer, Bob Kneemiller*)
A separate vote was taken on Council Bill 9986, with the following results:
Passed "Aye": Kneemiller, Muench, Stivison, Veit, Weller, and Beckering
"Nay": Klinghammer, Reese, Ermeling, and Feldman
Absent: None
Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-163**

Bill 10003 (Substitute Bill No. 1)

An Ordinance Authorizing a Contract with Ford Asphalt Company, Inc. for the Annual Overlay Program 2009 in an Amount Not to Exceed \$1,484,096.10 (*Sponsor: Larry Muench*)
Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling
"Nay": None
Absent: None
Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-177**

Bill 10004 (Withdrawn)

An Ordinance Amending Chapter 74 of the Code of Ordinances by Creating a New Section to be Known as Section 74.50 to Prohibit the Sending, Reading or Writing of

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

Text or Electronic Messages While Operating a Motor Vehicle; to Establish a Penalty for Violation; and an Effective Date Thereof (*Sponsors: Bob Kneemiller & Jerry Reese*)
Council Bill 10004 was withdrawn by Sponsors Bob Kneemiller and Jerry Reese because the State Statute preempts cities from enacting legislation relative to hand held electronic devices in vehicles.
File #47207

Bill 10005

An Ordinance Amending Chapter 115 of the Code of ordinances by Amending Section 115.22 Pertaining to the Filing and Deposit of License Fees and also Amending Section 115.25 Pertaining to the Fee Schedule for Liquor Licenses for the Purpose of Exempting Political Subdivisions from the Liquor License Fee Requirements (*Sponsors: Larry Muench and Laurie Feldman*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-164**

Bill 10006

An Ordinance Authorizing an Affiliation Agreement Between East Central College and the City of St. Charles for the Mutual Sharing and Utilization of Facilities and Personnel for Educational Purposes Relating to an Emergency Medical Technician- Paramedic Education Program (*Sponsor: Larry Muench*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-165**

Bill 10007

An Ordinance Authorizing an Agreement with the First Capitol Lions Club for the Purpose of Conducting the Taste of Germany Special Event to be Held on Wednesday, October 7, 2009, Which Shall Include the Placing of Booths on a Portion of the Main Street Sidewalk for the Dispensing of Alcoholic Beverages and Sale of Food to the Public, and the Providing of Live Entertainment (*Sponsor: Richard Veit*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-166**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

Bill 10008

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Boone's Lick Box Culvert Repair Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Larry Muench*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-167**

Bill 10009

An Ordinance Approving the Record Plat for Community Freedom Center, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bob Kneemiller*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-168**

Bill 10010

An Ordinance Annexing Certain Adjacent Contiguous Territory into the City of Saint Charles, Missouri, Assigning the Property to a Designated Ward of the City and Authorizing an Annexation Agreement with the Missouri Department of Natural Resources, owner of the 7.83 Acre Portion of the KATY Trail Located Between Interstate 70 and the Saint Charles Family Arena (*Sponsor: Laurie Feldman*)

Passed "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit,
Weller, Beckering, and Ermeling

"Nay": None

Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-169**

Bill 10011 (Held)

An Ordinance Authorizing a Lease Agreement Between the City of St. Charles and Norfolk Southern Railway Company for the Purpose of Maintaining a Non-Exclusive Roadway to Serve 2420 North Sixth Street for Period of Nine (9) Years in a Total Amount Not to Exceed \$18,000.00 (*Sponsors: Erv Ermeling, Larry Muench, Michael Klinghammer, Jerry Reese, Ron Stivison, and Richard Veit*)

A motion was made by RICHARD VEIT to hold Council Bill 10011. RON STIVISON seconded the motion. All voted in favor, motion passed.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

Bill 10012

An Ordinance Authorizing a Contract with L. Krupp Construction, Inc. for the I-70 and Fifth Street Corridor Project in an Amount Not to Exceed \$1,462,369.61 (*Sponsor: Larry Muench and Richard Veit*)

City Engineer Kevin Corwin responded to an inquiry of Councilmember Erv Ermeling that the project is estimated to commence in 45 – 60 days.

Passed “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling

 “Nay”: None

 Absent: None

Approved by the Honorable Mayor on September 3, 2009, and is known as **Ordinance 09-170**

Bill 10013 (*Amended*)

An Ordinance Amending Chapter 113 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Sections 113.02, 113.03, 113.15, 113.19, 113.30, 113.35 and 113.40 to Reduce the License Tax for Electricity, Gas and Telephone; Eliminate the Refund of License Fees to Elderly Residents; and Provide Effective Dates Thereof.

(*Sponsors: Dave Beckering and Richard Veit*)

Councilmember Dave Beckering requested that further discussion be held on Council Bill 10013 at the Council Work Session scheduled for September 22, 2009; and that the data requested from Administration be provided for discussion at the Work Session.. A motion was made by DAVE BECKERING to table Council Bill 10013. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 10014

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Bridge Culvert Maintenance Project (Muegge Road at Spring Oak; Muegge Road at Hackmann Road; Muegge Road at Timberidge; and Zumbahl Road) is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land. (*Sponsor: Erv Ermeling*)

Bill 10015

An Ordinance Amending the Planned Development Agreement Between the City of St. Charles and Schaeffer Homes and Associates, Inc. by Extending the Completion Date of Sales and Construction of New Homes in Bogey Club (*Sponsor: Jerry Reese*)

Bill 10016

An Ordinance Amending Chapter 154 of the Code of Ordinances by Deleting Section 154.055 and Inserting a New Section 154.055 Pertaining to Improvements Installed and Guaranteed (*Sponsor: Erv Ermeling*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

Bill 10017

An Ordinance Ordering That Assessments Be Made Against Benefited Properties Situated Within the Streets of St. Charles at Noah's Ark Neighborhood Improvement District Based Upon Estimated Costs of Certain Proposed Improvements Within the District; Ordering Preparation of an Assessment Roll; and Calling for a Public Hearing and Providing Direction for the Giving of Notice Thereof; All Pursuant to the Neighborhood Improvement District Act (*Sponsors: Bob Kneemiller and Laurie Feldman*)

Bill 10018

An Ordinance Approving the Delivery of Not to Exceed \$23,500,000 Aggregate Principal Amount of Refunding Certificates of Participation (City of St. Charles, Missouri, Lessee), Series 2009, the Proceeds of Which Will be Used to Pay the Costs of Refunding Outstanding Lease Obligations Relating to the City's Sewerage System and Costs Related Thereto; and Authorizing the Execution of Certain Documents and Actions in Connection Therewith (*Sponsor: Larry Muench*)

ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Status of the Community Center Project

Councilmember Dave Beckering requested a report from the Community Center Oversight Committee relative to the status of the Community Center Project. Councilmember Beckering also requested that the Construction Project Timeline include a date; and future timelines indicate the revisions made.

File #47208

CONSENT AGENDA

Item 9.G.2. *Approval of Electronic Message Sign at 3160 Elm Point Industrial Drive* was previously advanced on the agenda as reported on Page 230 of the Record. A motion was made by LAURIE FELDMAN to receive and approve the balance of the Consent Agenda. BOB KNEEMILLER seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, and Klinghammer. "Nay": None. Absent: Reese. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of August 4, 2009
2. Public Hearing of August 4, 2009

File #47209

3. Special Council Meeting of August 11, 2009
4. Public Hearing of August 18, 2009

File #472010

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

- B. Approval of Council Committee Reports
1. Approval of Council Committee Minutes
- a. Council Work Session of August 4, 2009 (5:15 p.m.)
File #47016
- b. Council Work Session of August 4, 2009 (6:00 p.m.)
File #47016
- c. Small Business Incentive Committee of August 18, 2009
File #47179
- d. Council Work Session of August 18, 2009
File #47016
2. Approval of Council Committee Motions/Actions/Recommendations
- a. Council Work Session of August 4, 2009 (5:15 p.m.) *(None)*
- b. Council Work Session of August 4, 2009 (6:00 p.m.) *(None)*
- c. Small Business Incentive Committee of August 18, 2009
- i. Motion to have Staff Compile a Resource Guide on License and Permitting Processes Similar to the City of Geneva
- d. Council Work Session of August 18, 2009 *(None)*
- C. Receipt of Reports from Boards, Commissions or Committees
1. Landmarks Board Meeting of June 15, 2009
File #47042
2. Landmarks Board Meeting of July 20, 2009
File #47042
3. Oktoberfest Committee Meeting of July 13, 2009
File #47112
4. Senior Citizen Advisory Commission Meeting of June 16, 2009
File #47060
5. Senior Citizen Advisory Commission Meeting of July 21, 2009
- a. Motion to Accept the Offer of New Shirts for Commission Members
- b. Motion to Invite City Staff to the August 18, 2009, Meeting to Provide Further Information on the New Water/Sewer Rates
- c. Motion to Invite City Staff to the August 18, 2009, Meeting for a 10-Minute Review of the 2009 CDBG Projects
File #47060
6. Arts and Culture Commission Meeting of June 8, 2009
- a. Motion to Approve a Grant for Window Winterscapes in the Amount of \$1,000
- b. Motion to Release the Remaining Funds for the Following Grants:
- i. MFA Exhibit "Beyond the Resume" - \$1,200
- ii. Missouri Tartan Days - \$1,000
- iii. Fete' De Glace - \$1,200

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

iv. The Big Read - \$700

File #47059

7. Convention and Visitors Bureau Meeting of April 23, 2009
 - a. Motion to Approve the February Financial Report
 - b. Motion to Approve the Following Advertising/Public Relations Contracts:
 - i. Sports Destination Management – May/June (Grant) - \$1,500
 - ii. Forum Magazine – May/June/July (Grant) - \$5,750
 - iii. KDNL-TV - \$26,150
 - iv. KTRS-AM Radio - \$5,000
 - v. Community News – March 11 & 18 - \$2,190
 - vi. KCSAE/Luncheon Sponsorship - \$500
 - vii. Car Show Sponsorship - \$500
 - viii. KSDK-Cardinal Network - \$20,000
 - ix. Expedia (Grant - \$50,000
 - x. Learfield Communications (Grant) - \$25,000
 - c. Motion for a Proclamation to Declare the Month of May as National Preservation Month and to Support the Efforts of Preservation in the Saint Charles Historic Districts

Fil3 #47074

8. Board of Public Works Meeting of July 9, 2009
 - a. Motion to Recommend Approval of Change Order #1 with First National Insurance Company, c/o Safeco Insurance Company, for Construction Costs Associated with the West Adams Storm Sewer Project in an Amount not to Exceed \$32,474.86
 - b. Motion to Recommend Acceptance of the Utilities Specified at The New Town at St. Charles – Phase #10A
 - c. Motion to Recommend Authorization to Acquire Land for the Adams Street Lift Station Project
 - d. Motion to Recommend Approval of Supplemental Agreement #2 with Kuhlmann design Group, Inc. for the Mississippi WWTF Maintenance Building in an Amount not to Exceed \$2,400
 - e. Motion to Recommend Approval of Supplemental Agreement #3 with Donohue and Associates for the Mississippi River WWTF Improvements in an Amount not to Exceed \$353,000
 - f. Motion to Recommend Approval of Supplemental Agreement #3 with Archer Engineers for the Missouri River WWTF Improvements in an Amount not to Exceed \$86,000
 - g. Motion to Recommend Approval of the Contract with Lamke Trenching & Excavating for the Installation of 8” Water Main Along Huster Road in an Amount not to Exceed \$18,982

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

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- h. Motion to Recommend Approval of the Renewal Contract with Schulte Supply for the Purchase of Water Meters in an Amount not to Exceed \$90,000
 - i. Motion to Recommend Approval of the Renewal Contract with Mississippi Lime for the Purchase of ½" Bulk Pebble Lime in an Amount not to Exceed \$247,247

File #47072

D. Receipt of Reports of the Director of Administration

- 1. Request to Fill a Vacant Position in the Public Works Department

Director of Administration Michael Spurgeon responded to an inquiry of Councilmember Dave Beckering that the vacant position is evaluated by Staff prior to placement on the Consent Agenda.

File #47211

E. Approval of Contracts and Easements from \$30,001 - \$99,999

- 1. Contract with Bax Engineering Company for the Design of South Main Street South Reconstruction Project in an Amount not to Exceed \$97,356.00

File #47212

- 2. Contract with George Butler Associates, Inc. (GBA) for Design of McClay and Hackmann Project in an Amount not to Exceed \$68,879.00.

File #47213

F. Preliminary Plats
None

G. Miscellaneous

- 1. Approval of Arts and Culture Commission Expenditures
 - a. St. Charles County Symphony - \$5,000
 - b. Fete De Glace - \$4,000
 - c. Riverside Shakespeare in the Park – Additional \$345.97; Total Contract Amount \$17,345.97

File #47033

- 2. Approval of Electronic Message Sign at 3160 Elm Point Industrial Drive

This item was advanced on the agenda and approved as reported on Page 230 of the Record.

- 3. Update and Status Report on the Emergency Creek Projects

File #47008

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

REPORT OF THE MAYOR

Written and/or Verbal Messages from the Mayor

MML Annual Conference The Honorable Mayor Patricia M. York announced that the MML Annual Conference is scheduled for October 4-7, 2009 at Tan-Tar-A; and that the 2010 MML Annual Conference will be held in St. Charles.

Lambert Airport Master Plan. The Honorable Mayor Patricia M. York announced that she serves on the Lambert Airport Master Plan Board; and requested input from the Council on the advantages and disadvantages of Lambert Airport.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

First Responders. Councilmember Richard Veit thanked all the first responders at a call to St. Charles Borromeo recently.

Mosaics and Irish Festivals. Councilmember Jerry Reese announced that the Mosaics Festival and the Irish Festival are scheduled for the weekend of September 18-20, 2009.

Festival of the Little Hills. Councilmember Erv Ermeling thanked all the City Employees who helped at the recent Festival of the Little Hills.

Habitat for Humanity. Vice President of the Council Laurie Feldman announced that the first all-women built home is nearing completion; and that the dedication is scheduled for September 19, 2009.

Passing of Ken Kielty's Son President of the Council Larry Muench requested that everyone keep former Councilmember Ken Kielty and his family in your thoughts and prayers upon the recent passing of his son, Sean Kielty.

EMERGENCY ORDINANCE

Bill 10020

An Emergency Ordinance Suspending the Prohibition Against the Discharge of Fireworks in Frontier Park on Thursday, September 10, 2009 for "Light the Night" a Tribute to Fallen Police Officer Grant Jansen (*Sponsor: Larry Muench*)

City Clerk Marilyn K. McCoy read Council Bill 10020 in its entirety. A roll call vote was taken, with the following results:

Passed "Aye": Muench, Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, and Kneemiller
 "Nay": None
 Absent: None

Approved by the Honorable Mayor on September 2, 2009, and is known as **Ordinance 09-162**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 1, 2009

TABLED BILLS/PUBLIC HEARINGS

Bill 9974

An Ordinance Authorizing the City of St. Charles, Missouri, to Issue its Taxable Industrial Revenue Bonds (MiTek Industries, Inc. Project), Series 2009, in a Principal Amount not to Exceed \$10,124,750 for the Purpose of Providing Funds to Pay the Costs of Purchasing, Constructing, Installing, and Equipping a Facility for an Industrial Development Project in the City; Approving a Plan for the Project; and Authorizing the Mayor to Enter into Certain Agreements and Take Certain Other Actions in Connection with the Issuance of the Bonds (*Sponsor: Michael Klinghammer*) (***Tabled at the August 18, 2009, Regular Council Meeting***)

A motion was made by MICHAEL KLINGHAMMER to remove Council Bill 9974 from the table for consideration at the next Regular Council Meeting. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Reese, Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench. "Nay": Veit. Absent: None. Motion passed.

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12); with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 9:14 p.m.

September 15, 2009

Date Approved

Nancy K. McCoy
City Clerk

L. A. Muench
Larry Muench, Presiding Officer